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of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

DECLARATIONS, RESERVATIONS, WITHDRAWALS OF RESERVATIONS, OBJECTIONS TO RESERVATIONS AND DECLARATIONS RELATING TO THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Note by the Secretary-General

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Introduction

1. This document contains the texts of the reservations, withdrawals of reservations, declarations and objections made by States with respect to the International Convention on the Elimination of All Forms of Racial Discrimination as at 27 April 2001 and is based upon the electronic version of Multilateral Treaties Deposited with the Secretary-General (http://untreaty.un.org, or alternatively, see ST/LEG/SER.E)* and upon notifications received by the Secretary-General. Multilateral Treaties Deposited with the Secretary-General does not contain a section listing notifications of withdrawals of reservations and declarations, although this material is contained in notes to this publication and is reproduced in this document.

2. On the occasion of undertaking treaty formalities, issues of a general character are sometimes raised (mostly with regard to representation, succession or territorial application). For the most part, these issues are not reproduced in this document, but are regrouped in chapters I.1 and I.2 of Multilateral Treaties Deposited with the Secretary-General.

3. As indicated in paragraph 6 of the introduction to the electronic version of the Multilateral Treaties Deposited with the Secretary-General, the texts of reservations, declarations and objections are normally reproduced in full.

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* The status is updated regularly on the United Nations Web site at the following address: http://untreaty.un.org.

I. LIST OF STATES WHICH HAVE RATIFIED OR ACCEDED OR SUCCEEDED TO THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION AS AT 27 APRIL 2001

Adoption by the General Assembly of the United Nations on 21 December 1965 in resolution 2106 (XX)[1]

ENTRY INTO FORCE: 4 January 1969, in accordance with article 19[2]
REGISTRATION: 12 March 1969, No. 9464
TEXT: United Nations, Treaty Series, vol. 660, p. 195
STATUS: Signatories: 81
Parties: 157

Note: Opened for signature at New York on 7 March 1966.

Participant	Signature	Ratification, accession (a), succession (b)	Entry into force
Afghanistan		6 July 1983 a	5 August 1983
Albania		11 May 1994 a	10 June 1994
Algeria	9 December 1966	14 February 1972	15 March 1972
Antigua and Barbuda		25 October 1988 b	24 November 1988
Argentina	13 July 1967	2 October 1968	4 January 1969
Armenia		23 June 1993 a	23 July 1993
Australia	13 October 1966	30 September 1975	30 October 1975
Austria	22 July 1969	9 May 1972	8 June 1972
Azerbaijan		16 August 1996 a	15 September 1996
Bahamas		5 August 1975 b	4 September 1975
Bahrain		27 March 1990 a	26 April 1990
Bangladesh		11 June 1979 a	11 July 1979
Barbados		8 November 1972 a	8 December 1972
Belarus	7 March 1966	8 April 1969	8 May 1969
Belgium	17 August 1967	7 August 1975	6 September 1975
Belize	6 September 2000		
Benin	2 February 1967		
Bhutan	26 March 1973		
Bolivia	7 June 1966	22 September 1970	22 October 1970
Bosnia and Herzogovina[26]		16 July 1993 b	16 July 1993

Participant	Signature	Ratification, accession (a), succession (b)	Entry into force
Botswana		20 February 1974 a	22 March 1974
Brazil	7 March 1966	27 March 1968	4 January 1969
Bulgaria	1 June 1966	8 August 1966	4 January 1969
Burkina Faso		18 July 1974 a	17 August 1974
Burundi	1 February 1967	27 October 1977	26 November 1977
Cambodia	12 April 1966	28 November 1983	28 December 1983
Cameroon	12 December 1966	24 June 1971	24 July 1971
Canada	24 August 1966	14 October 1970	13 November 1970
Cape Verde		3 October 1979 a	2 November 1979
Central African Republic	7 March 1966	16 March 1971	15 April 1971
Chad		17 August 1977 a	16 September 1977
Chile	3 October 1966	20 October 1971	19 November 1971
China[3 4 24]		29 December 1981 a	28 January 1982
Colombia	23 March 1967	2 September 1981	2 October 1981
Comoros	22 September 2000		
Congo		11 July 1988 a	10 August 1988
Costa Rica	14 March 1966	16 January 1967	4 January 1969
Côte d'Ivoire		4 January 1973 a	3 February 1973
Croatia [26]		12 October 1992 b	8 October 1991
Cuba	7 June 1966	15 February 1972	16 March 1972
Cyprus	12 December 1966	21 April 1967	4 January 1969
Czech Republic[5]		22 February 1993 b	1 January 1993
Democratic Republic of the Congo		21 April 1976 a	21 May 1976
Denmark	21 June 1966	9 December 1971	8 January 1972
Dominican Republic		25 May 1983 a	24 June 1983
Ecuador		22 September 1966 a	4 January 1969
Egypt	28 September 1966	1 May 1967	4 January 1969
El Salvador		30 November 1979 a	30 December 1979
Estonia		21 October 1991 a	20 November 1991
Ethiopia		23 June 1976 a	23 July 1976
Fiji		11 January 1973 b	10 February 1973
Finland	6 October 1966	14 July 1970	13 August 1970
France		28 July 1971 a	27 August 1971
Gabon	20 September 1966	29 February 1980	30 March 1980
Gambia		29 December 1978 a	28 January 1979

Participant	Signature	Ratification, accession (a), succession (b)	Entry into force
Georgia		2 June 1999 a	2 July 1999
Germany[6 7]	10 February 1967	16 May 1969	15 June 1969
Ghana	8 September 1966	8 September 1966	4 January 1969
Greece	7 March 1966	18 June 1970	18 July 1970
Grenada	17 December 1981		
Guatemala	8 September 1967	18 January 1983	17 February 1983
Guinea	24 March 1966	14 March 1977	13 April 1977
Guinea-Bissau	12 September 2000		
Guyana	11 December 1968	15 February 1977	17 March 1977
Haiti	30 October 1972	19 December 1972	18 January 1973
Holy See	21 November 1966	1 May 1969	31 May 1969
Hungary	15 September 1966	4 May 1967	4 January 1969
Iceland	14 November 1966	13 March 1967	4 January 1969
India	2 March 1967	3 December 1968	4 January 1969
Indonesia		25 June 1999 a	25 July 1999
Iran (Islamic Republic of)	8 March 1967	29 August 1968	4 January 1969
Iraq	18 February 1969	14 January 1970	13 February 1970
Ireland	21 March 1968	29 December 2000	28 January 2001
Israel	7 March 1966	3 January 1979	2 February 1979
Italy	13 March 1968	5 January 1976	4 February 1976
Jamaica	14 August 1966	4 June 1971	4 July 1971
Japan		15 December 1995 a	14 January 1996
Jordan		30 May 1974 a	29 June 1974
Kazakhstan		26 August 1998 a	25 September 1998
Kuwait		15 October 1968 a	4 January 1969
Kyrgyzstan		5 September 1997 a	5 October 1997
Lao People's Democratic Republic		22 February 1974 a	24 March 1974
Latvia		14 April 1992 a	14 May 1992
Lebanon		12 November 1971 a	12 December 1971
Lesotho		4 November 1971 a	4 December 1971
Liberia		5 November 1976 a	5 December 1976
Libyan Arab Jamahiriya		3 July 1968 a	4 January 1969
Liechtenstein		1 March 2000 a	31 March 2000
Lithuania	8 June 1998	10 December 1998	9 January 1999
Luxembourg	12 December 1967	1 May 1978	31 May 1978

Participant	Signature	Ratification, accession (a), succession (b)	Entry into force
Madagascar	18 December 1967	7 February 1969	9 March 1969
Malawi		11 June 1996 a	11 July 1996
Maldives		24 April 1984 a	24 May 1984
Mali		16 July 1974 a	15 August 1974
Malta	5 September 1968	27 May 1971	26 June 1971
Mauritania	21 December 1966	13 December 1988	12 January 1989
Mauritius		30 May 1972 a	29 June 1972
Mexico	1 November 1966	20 February 1975	22 March 1975
Monaco		27 September 1995 a	27 October 1995
Mongolia	3 May 1966	6 August 1969	5 September 1969
Morocco	18 September 1967	18 December 1970	17 January 1971
Mozambique		18 April 1983 a	18 May 1983
Namibia		11 November 1982 a	11 December 1982
Nepal		30 January 1971 a	1 March 1971
Netherlands	24 October 1966	10 December 1971	9 January 1972
New Zealand	25 October 1966	22 November 1972	22 December 1972
Nicaragua		15 February 1978 a	17 March 1978
Niger	14 March 1966	27 April 1967	4 January 1969
Nigeria		16 October 1967 a	4 January 1969
Norway	21 November 1966	6 August 1970	5 September 1970
Pakistan	19 September 1966	21 September 1966	4 January 1969
Panama	8 December 1966	16 August 1967	4 January 1969
Papua New Guinea		27 January 1982 a	26 February 1982
Paraguay	13 September 2000		
Peru	22 July 1966	29 September 1971	29 October 1971
Philippines	7 March 1966	15 September 1967	4 January 1969
Poland	7 March 1966	5 December 1968	4 January 1969
Portugal[24]		24 August 1982 a	23 September 1982
Qatar		22 July 1976 a	21 August 1976
Republic of Korea	8 August 1978	5 December 1978	4 January 1979
Republic of Moldova		26 January 1993 a	25 February 1993
Romania		15 September 1970 a	15 October 1970
Russian Federation	7 March 1966	4 February 1969	6 March 1969
Rwanda		16 April 1975 a	16 May 1975
Saint Lucia		14 February 1990 b	16 March 1990

Participant	Signature	Ratification, accession (a), succession (b)	Entry into force
Saint Vincent and the Grenadines		9 November 1981 a	9 December 1981
Sao Tome and Principe	6 September 2000		
Saudi Arabia		23 September 1997 a	22 October 1997
Senegal	22 July 1968	19 April 1972	16 May 1972
Seychelles		7 March 1978 a	6 April 1978
Sierra Leone	17 November 1966	2 August 1967	4 January 1969
Slovakia[5]		28 May 1993 b	28 May 1993
Slovenia[26]		6 July 1992 b	6 July 1992
Solomon Islands		17 March 1982 b	16 April 1982
Somalia	26 January 1967	26 August 1975	25 September 1975
South Africa	3 October 1994	10 December 1998	9 January 1999
Spain[25]		13 September 1968 a	4 January 1969
Sri Lanka		18 February 1982 a	20 March 1982
Sudan		21 March 1977 a	20 April 1977
Suriname		15 March 1984 b	14 April 1984
Swaziland		7 April 1969 a	7 May 1969
Sweden	5 May 1966	6 December 1971	5 January 1972
Switzerland		29 November 1994 a	29 December 1994
Syrian Arab Republic		21 April 1969 a	21 May 1969
Tajikistan		11 January 1995 a	10 February 1995
The former Yugoslav Republic of Macedonia[26]		18 January 1994 b	17 September 1991
Togo		1 September 1972 a	1 October 1972
Tonga		16 February 1972 a	17 March 1972
Trinidad and Tobago	9 June 1967	4 October 1973	3 November 1973
Tunisia	12 April 1966	13 January 1967	4 January 1969
Turkey	13 October 1972		
Turkmenistan		29 September 1994 a	29 October 1994
Uganda		21 November 1980 a	21 December 1980
Ukraine	7 March 1966	7 March 1969	6 April 1969
United Arab Emirates		20 June 1974 a	20 July 1974

Participant	Signature	Ratification, accession (a), succession (b)	Entry into force
United Kingdom of Great Britain and Northern Ireland[4 8]	11 October 1966	7 March 1969	6 April 1969
United Republic of Tanzania		27 October 1972 a	26 November 1972
United States of America	28 September 1966	21 October 1994	20 November 1994
Uruguay	21 February 1967	30 August 1968	4 January 1969
Uzbekistan		28 September 1995 a	28 October 1995
Venezuela	21 April 1967	10 October 1967	4 January 1969
Viet Nam		9 June 1982 a	9 July 1982
Yemen[9]		18 October 1972 a	17 November 1972
Yugoslavia[26]		12 March 2001 b	27 April 1992
Zambia	11 October 1968	4 February 1972	5 March 1972
Zimbabwe		13 May 1991 a	12 June 1991

II. TEXTS OF DECLARATIONS AND RESERVATIONS

(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto and declarations recognizing the competence of the Committee on the Elimination of Racial Discrimination, see hereinafter.)

A. Declarations and reservations

AFGHANISTAN

Reservation

While acceding to the International Convention on the Elimination of All Forms of Racial Discrimination, the Democratic Republic of Afghanistan does not consider itself bound by the provisions of article 22 of the Convention since according to this article, in the event of disagreement between two or several States parties to the Convention on the interpretation and implementation of provisions of the Convention, the matters could be referred to the International Court of Justice upon the request of only one side.

The Democratic Republic of Afghanistan, therefore, states that should any disagreement emerge on the interpretation and implementation of the Convention, the matter will be referred to the International Court of Justice only if all concerned parties agree with that procedure.

Declaration

Furthermore, the Democratic Republic of Afghanistan states that the provisions of articles 17 and 18 of the International Convention on the Elimination of All Forms of Racial Discrimination have a discriminatory nature against some States and therefore are not in conformity with the principle of universality of international treaties.

ANTIGUA AND BARBUDA

Declaration

The Constitution of Antigua and Barbuda entrenches and guarantees to every person in Antigua and Barbuda the fundamental rights and freedoms of the individual irrespective of race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights, whether by the State or by a private individual. Acceptance of the Convention by the Government of Antigua and Barbuda does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial processes beyond those provided in the Constitution.

The Government of Antigua and Barbuda interprets article 4 of the Convention as requiring a party to enact measures in the fields covered by subparagraphs (a), (b) and (c) of that article only where it is considered that the need arises to enact such legislation.

AUSTRALIA

The Government of Australia ... declares that Australia is not at present in a position specifically to treat as offences all the matters covered by article 4 (a) of the Convention. Acts of the kind there mentioned are punishable only to the extent provided by the existing criminal law dealing with such matters as the maintenance of public order, public mischief, assault, riot, criminal libel, conspiracy and attempts. It is the intention of the Australian Government, at the first suitable moment, to seek from Parliament legislation specifically implementing the terms of article 4 (a).

AUSTRIA

Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination provides that the measures specifically described in subparagraphs (a), (b) and (c) shall be undertaken with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention. The Republic of Austria therefore considers that through such measures the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association may not be jeopardized. These rights are laid down in articles 19 and 20 of the Universal Declaration of Human Rights; they were reaffirmed by the General Assembly of the United Nations when it adopted articles 19 and 21 of the International Covenant on Civil and Political Rights and are referred to in article 5 (d) (viii) and (ix) of the present Convention.

BAHAMAS

Firstly the Government of the Commonwealth of the Bahamas wishes to state its understanding of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by subparagraphs (a), (b) and (c) of that article only insofar as it may consider with due regard to the principles embodied in the Universal Declaration set out in article 5 of the Convention (in particular to freedom of opinion and expression and the right of freedom of peaceful assembly and association) that some legislative addition to, or variation of existing law and practice in these fields is necessary for the attainment of the ends specified in article 4. Lastly, the Constitution of the Commonwealth of the Bahamas entrenches and guarantees to every person in the Commonwealth of the Bahamas the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial process to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Acceptance of this Convention by the Commonwealth of the Bahamas does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial process beyond these prescribed under the Constitution.

BAHRAIN[10]

Reservations

With reference to article 22 of the Convention, the Government of the State of Bahrain declares that, for the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the express consent of all the parties to the dispute is required in each case.

Moreover, the accession by the State of Bahrain to the said Convention shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith.

BARBADOS

The Constitution of Barbados entrenches and guarantees to every person in Barbados the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Accession to the Convention does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial processes beyond those provided in the Constitution.

The Government of Barbados interprets article 4 of the said Convention as requiring a party to the Convention to enact measures in the fields covered by subparagraphs (a), (b) and (c) of that article only where it is considered that the need arises to enact such legislation.

BELARUS[11]

The Byelorussian Soviet Socialist Republic states that the provision in article 17, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become Parties to the Convention is of a discriminatory nature, and hold that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all interested States without discrimination or restriction of any kind.

BELGIUM

In order to meet the requirements of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, the Kingdom of Belgium will take care to adapt its legislation to the obligations it has assumed in becoming a party to the said Convention.

The Kingdom of Belgium nevertheless wishes to emphasize the importance which it attaches to the fact that article 4 of the Convention provides that the measures laid down in subparagraphs (a), (b), and (c) should be adopted with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention. The Kingdom of Belgium therefore considers that the obligations imposed by article 4 must be reconciled with the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association. Those rights are proclaimed in articles 19 and 20 of the Universal Declaration of Human Rights and have been reaffirmed in articles 19 and 21 of the International Covenant on Civil and Political Rights. They have also been stated in article 5, subparagraph (d) (viii) and (ix) of the said Convention.

The Kingdom of Belgium also wishes to emphasize the importance which it attaches to respect for the rights set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms, especially in articles 10 and 11 dealing respectively with freedom of opinion and expression and freedom of peaceful assembly and association.

BULGARIA[12]

The Government of the People's Republic of Bulgaria considers that the provisions of article 17, paragraph 1, and article 18, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, the effect of which is to prevent sovereign States from becoming parties to the Convention, are of a discriminatory nature. The Convention, in accordance with the principle of the sovereign equality of States, should be open for accession by all States without any discrimination whatsoever.

CHINA[13]

Reservation

The People's Republic of China has reservations on the provisions of article 22 of the Convention and will not be bound by it. (The reservation was circulated by the Secretary-General on 13 January 1982.)

Declaration

The signing and ratification of the said Convention by the Taiwan authorities in the name of China are illegal and null and void.

CUBA

Upon signature

The Government of the Republic of Cuba will make such reservations as it may deem appropriate if and when the Convention is ratified.

Upon ratification

Reservation

The Revolutionary Government of the Republic of Cuba does not accept the provision in article 22 of the Convention to the effect that disputes between two or more States parties shall be referred to the International Court of Justice, since it considers that such disputes should be settled exclusively by the procedures expressly provided for in the Convention or by negotiation through the diplomatic channel between the disputants.

Statement

This Convention, intended to eliminate all forms of racial discrimination, should not, as it expressly does in articles 17 and 18, exclude States not Members of the United Nations, members of the specialized agencies or parties to the Statute of the International Court of Justice from making an effective contribution under the Convention, since these articles constitute in themselves a form of discrimination that is at variance with the principles set out in the Convention; the Revolutionary Government of the Republic of Cuba accordingly ratifies the Convention, but with the qualification just indicated.

CZECH REPUBLIC[5]

DENMARK[14]

EGYPT[15]

The Arab Republic of Egypt does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

FIJI

The reservation and declarations formulated by the Government of the United Kingdom on behalf of Fiji are affirmed but have been redrafted in the following terms:

To the extent, if any, that any law relating to elections in Fiji may not fulfil the obligations referred to in article 5 (c), that any law relating to land in Fiji which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), or that the school system of Fiji may not fulfil the obligations referred to in articles 2, 3, or 5 (e) (v), the Government of Fiji reserves the right not to implement the aforementioned provisions of the Convention.

The Government of Fiji wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by subparagraphs (a), (b) and (c) of that article only insofar as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4.

Further, the Government of Fiji interprets the requirement in article 6 concerning "reparation or satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a party to the Convention.

The Government of Fiji maintains the view that article 15 is discriminatory in that it establishes a procedure for the receipt of petitions relating to dependent territories whilst making no comparable provision for States without such territories.

FRANCE[16]

With regard to article 4, France wishes to make it clear that it interprets the reference made therein to the principles of the Universal Declaration of Human Rights and to the rights set forth in article 5 of the Convention as releasing the States parties from the obligation to enact anti-discrimination legislation which is incompatible with the freedoms of opinion and expression and of peaceful assembly and association guaranteed by those texts.

With regard to article 6, France declares that the question of remedy through tribunals is, as far as France is concerned, governed by the rules of ordinary law.

With regard to article 15, France's accession to the Convention may not be interpreted as implying any change in its position regarding the resolution mentioned in that provision.

GUYANA

The Government of the Republic of Guyana does not interpret the provisions of this Convention as imposing upon them any obligation going beyond the limits set by the Constitution of Guyana or imposing upon them any obligation requiring the introduction of judicial processes going beyond those provided under the same Constitution.

HUNGARY[17]

The Hungarian People's Republic considers that the provisions of article 17, paragraph 1, and of article 18, paragraph 1, of the Convention, barring accession to the Convention by all States, are of a discriminating nature and contrary to international law. The Hungarian People's Republic maintains its general position that multilateral treaties of a universal character should, in conformity with the principles of sovereign equality of States, be open for accession by all States without any discrimination whatever.

INDIA[18]

The Government of India declares that for reference of any dispute to the International Court of Justice for decision in terms of article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination, the consent of all parties to the dispute is necessary in each individual case.

INDONESIA

Reservation

"The Government of the Republic of Indonesia does not consider itself bound by the provision of article 22 and takes the position that disputes relating to the interpretation and application of the [Convention] which cannot be settled through the channel provided for in the said article, may be referred to the International Court of Justice only with the consent of all the parties to the dispute."

IRAQ[19]

Upon signature

The Ministry for Foreign Affairs of the Republic of Iraq hereby declares that signature for and on behalf of the Republic of Iraq of the Convention on the Elimination of All Forms of Racial Discrimination, which was adopted by the General Assembly of the United Nations on 21 December 1965, as well as approval by the Arab States of the said Convention and entry into it by their respective Governments, shall in no way signify recognition of Israel or lead to entry by the Arab States into such dealings with Israel as may be regulated by the said Convention.

Furthermore, the Government of the Republic of Iraq does not consider itself bound by the provisions of article 22 of the Convention aforementioned and affirms its reservation that it does not accept the compulsory jurisdiction of the International Court of Justice provided for in the said article.

Upon ratification

The acceptance and ratification of the Convention by Iraq shall in no way signify recognition of Israel or be conducive to entry by Iraq into such dealings with Israel as are regulated by the Convention;

Iraq does not accept the provisions of article 22 of the Convention, concerning the compulsory jurisdiction of the International Court of Justice. The Republic of Iraq does not consider itself to be bound by the provisions of article 22 of the Convention and deems it necessary that in all cases the approval of all parties to the dispute be secured before the case is referred to the International Court of Justice.

IRELAND

Reservation-interpretative declaration

Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination provides that the measures specifically described in subparagraphs (a), (b) and (c) shall be undertaken with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention. Ireland therefore considers that through such measures, the right to freedom of opinion and expression and the right to peaceful assembly and association may not be jeopardized. These rights are laid down in articles 19 and 20 of the Universal Declaration of Human Rights; they were reaffirmed by the General Assembly of the United Nations when it adopted articles 19 and 21 of the International Covenant on Civil and Political Rights and are referred to in article 5 (d) (viii) and (ix) of the present Convention.

ISRAEL

The State of Israel does not consider itself bound by the provisions of article 22 of the said Convention.

ITALY

Declaration made upon signature and confirmed upon ratification

(a) The positive measures, provided for in article 4 of the Convention and specifically described in subparagraphs (a) and (b) of that article, designed to eradicate all incitement to, or acts of, discrimination, are to be interpreted, as that article provides, "with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5" of the Convention. Consequently, the obligations deriving from the

aforementioned article 4 are not to jeopardize the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association which are laid down in articles 19 and 20 of the Universal Declaration of Human Rights, were reaffirmed by the General Assembly of the United Nations when it adopted articles 19 and 21 of the International Covenant on Civil and Political Rights, and are referred to in articles 5 (d) (viii) and (ix) of the Convention. In fact, the Italian Government, in conformity with the obligations resulting from Articles 55 (c) and 56 of the Charter of the United Nations, remains faithful to the principle laid down in article 29 (2) of the Universal Declaration, which provides that "in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society".

(b) Effective remedies against acts of racial discrimination which violate his individual rights and fundamental freedoms will be assured to everyone, in conformity with article 6 of the Convention, by the ordinary courts within the framework of their respective jurisdiction. Claims for reparation for any damage suffered as a result of acts of racial discrimination must be brought against the persons responsible for the malicious or criminal acts which caused such damage.

JAMAICA

The Constitution of Jamaica entrenches and guarantees to every person in Jamaica the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Ratification of the Convention by Jamaica does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligation to introduce judicial processes beyond those prescribed under the Constitution.

JAPAN

Reservation

In applying the provisions of paragraphs (a) and (b) of article 4 of the [said Convention] Japan fulfils the obligations under those provisions to the extent that fulfilment of the obligations is compatible with the guarantee of the rights to freedom of assembly, association and expression and other rights under the Constitution of Japan, noting the phrase "with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention" referred to in article 4.

KUWAIT[10]

In acceding to the said Convention, the Government of the State of Kuwait takes the view that its accession does not in any way imply recognition of Israel, nor does it oblige it to apply the provisions of the Convention in respect of the said country.

The Government of the State of Kuwait does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any party to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

LEBANON

The Republic of Lebanon does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any party to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all States parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

LIBYAN ARAB JAMAHIRIYA[10]

(a) The Kingdom of Libya does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

(b) It is understood that the accession to this Convention does not mean in any way a recognition of Israel by the Government of the Kingdom of Libya. Furthermore, no treaty relations will arise between the Kingdom of Libya and Israel.

MADAGASCAR

The Government of the Malagasy Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court.

MALTA

Declaration made upon signature and confirmed upon ratification

The Government of Malta wishes to state its understanding of certain articles in the Convention.

It interprets article 4 as requiring a party to the Convention to adopt further measures in the fields covered by subparagraphs (a), (b) and (c) of that article should it consider, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights set forth in article 5 of the Convention, that the need arises to enact "ad hoc" legislation, in addition to or variation of existing law and practice to bring to an end any act of racial discrimination.

Further, the Government of Malta interprets the requirements in article 6 concerning "reparation or satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end.

MONACO

Reservation regarding article 2, paragraph 1

Monaco reserves the right to apply its own legal provisions concerning the admission of foreigners to the labour market of the Principality.

Reservation regarding article 4

Monaco interprets the reference in that article to the principles of the Universal Declaration of Human Rights, and to the rights enumerated in article 5 of the Convention as releasing States parties from the obligation to promulgate repressive laws which are incompatible with freedom of opinion and expression and freedom of peaceful assembly and association, which are guaranteed by those instruments.

MONGOLIA[19]

The Mongolian People's Republic states that the provision in article 17, paragraph 1, of the Convention whereby a number of States are deprived of the opportunity to become parties to the Convention is of a discriminatory nature, and it holds that, in accordance with the principle of the sovereign equality of States, the Convention on the Elimination of All Forms of Racial Discrimination should be open to participation by all interested States without discrimination or restriction of any kind.

MOROCCO

The Kingdom of Morocco does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision. The Kingdom of Morocco states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

MOZAMBIQUE

Reservation

The People's Republic of Mozambique does not consider itself to be bound by the provision of article 22 and wishes to restate that for the submission of any dispute to the International Court of Justice for decision in terms of the said article, the consent of all parties to such a dispute is necessary in each individual case.

NEPAL

The Constitution of Nepal contains provisions for the protection of individual rights, including the right to freedom of speech and expression, the right to form unions and associations not motivated by party politics and the right to freedom of professing his/her own religion; and nothing in the Convention shall be deemed to require or to authorize legislation or other action by Nepal incompatible with the provisions of the Constitution of Nepal.

His Majesty's Government interprets article 4 of the said Convention as requiring a party to the Convention to adopt further legislative measures in the fields covered by subparagraphs (a), (b) and (c) of that article only insofar as His Majesty's Government may consider, with due regard to the principles embodied in the Universal Declaration of Human Rights, that some legislative addition to, or variation of, existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. His Majesty's Government interprets the requirement in article 6 concerning "reparation or satisfaction" as being fulfilled if one or other of these forms of redress is made available; and further interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end.

His Majesty's Government does not consider itself bound by the provision of article 22 of the Convention under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision.

PAPUA NEW GUINEA[13]

Reservation

The Government of Papua New Guinea interprets article 4 of the Convention as requiring a party to the Convention to adopt further legislative measures in the areas covered by subparagraphs (a), (b) and (c) of that article only insofar as it may consider with due regard to the principles contained in the Universal Declaration set out in article 5 of the Convention that some legislative addition to, or variation of existing law and practice, is necessary to give effect

to the provisions of article 4. In addition, the Constitution of Papua New Guinea guarantees certain fundamental rights and freedoms to all persons irrespective of their race or place of origin. The Constitution also provides for judicial protection of these rights and freedoms. Acceptance of this Convention does not therefore indicate the acceptance of obligations by the Government of Papua New Guinea which go beyond those provided by the Constitution, nor does it indicate the acceptance of any obligation to introduce judicial process beyond that provided by the Constitution. (The reservation was circulated by the Secretary-General on 22 February 1982.)

POLAND[20]

The Polish People's Republic considers that the provisions of article 17, paragraph 1, and article 18, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, which make it impossible for many States to become parties to the said Convention, are of a discriminatory nature and are incompatible with the object and purpose of that Convention.

The Polish People's Republic considers that, in accordance with the principle of the sovereign equality of States, the said Convention should be open for participation by all States without any discrimination or restrictions whatsoever.

ROMANIA[21]

The Council of State of the Socialist Republic of Romania declares that the provisions of articles 17 and 18 of the International Convention on the Elimination of All Forms of Racial Discrimination are not in accordance with the principle that multilateral treaties, the aims and objectives of which concern the world community as a whole, should be open to participation by all States.

RUSSIAN FEDERATION[11]

The Union of Soviet Socialist Republics states that the provision in article 17, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become parties to the Convention is of a discriminatory nature, and hold that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all interested States without discrimination or restriction of any kind.

RWANDA

The Rwandese Republic does not consider itself as bound by article 22 of the Convention.

SAUDI ARABIA

Reservations

[The Government of Saudi Arabia declares that it will] implement the provisions [of the above Convention], providing these do not conflict with the precepts of the Islamic Shariah.

The Kingdom of Saudi Arabia shall not be bound by the provisions of article 22 of this Convention, since it considers that any dispute should be referred to the International Court of Justice only with the approval of the States parties to the dispute.

SLOVAKIA[5]

SPAIN[25]

SWITZERLAND

Reservation concerning article 4

Switzerland reserves the right to take the legislative measures necessary for the implementation of article 4, taking due account of freedom of opinion and freedom of association provided for, inter alia, in the Universal Declaration of Human Rights.

Reservation concerning article 2, paragraph 1 (a)

Switzerland reserves the right to apply its legal provisions concerning the admission of foreigners to the Swiss market.

SYRIAN ARAB REPUBLIC[10]

1. The accession of the Syrian Arab Republic to this Convention shall in no way signify recognition of Israel or entry into a relationship with it regarding any matter regulated by the said Convention.

2. The Syrian Arab Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision. The Syrian Arab Republic states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

TONGA[22]

Reservation

To the extent, [...], that any law relating to land in Tonga which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), [...], the Kingdom of Tonga reserves the right not to apply the Convention to Tonga.

Declaration

Secondly, the Kingdom of Tonga wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by subparagraphs (a), (b) and (c) of that article only insofar as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. Further, the Kingdom of Tonga interprets the requirement in article 6 concerning "reparation or satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a party to the Convention.

Lastly, the Kingdom of Tonga maintains its position in regard to article 15. In its view this article is discriminatory in that it establishes a procedure for the receipt of petitions relating to dependent territories while making no comparable provision for States without such territories. Moreover, the article purports to establish a procedure applicable to the dependent territories of States whether or not those States have become parties to the Convention. His Majesty's Government has decided that the Kingdom of Tonga should accede to the Convention, these objections notwithstanding because of the importance they attach to the Convention as a whole.

UKRAINE[11]

The Ukrainian Soviet Socialist Republic states that the provision in article 17, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become parties to the Convention is of a discriminatory nature, and holds that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all interested States without discrimination or restriction of any kind.

UNITED ARAB EMIRATES[10]

The accession of the United Arab Emirates to this Convention shall in no way amount to recognition of nor the establishment of any treaty relations with Israel.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Upon signature

Subject to the following reservation and interpretative statements:

First, in the present circumstances deriving from the usurpation of power in Rhodesia by the illegal regime, the United Kingdom must sign subject to a reservation of the right not to apply the Convention to Rhodesia unless and until the United Kingdom informs the Secretary-General of the United Nations that it is in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented.

Secondly, the United Kingdom wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by subparagraphs (a), (b) and (c) of that article only insofar as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. Furthermore, the United Kingdom interprets the requirement in article 6 concerning "reparation or satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a party to the Convention.

Lastly, the United Kingdom maintains its position in regard to article 15. In its view this article is discriminatory in that it establishes a procedure for the receipt of petitions relating to dependent territories while making no comparable provision for States without such territories. Moreover, the article purports to establish a procedure applicable to the dependent territories of States whether or not those States have become parties to the Convention. Her Majesty's Government has decided that the United Kingdom should sign the Convention, these objections notwithstanding, because of the importance they attach to the Convention as a whole.

Upon ratification

First, the reservation and interpretative statements made by the United Kingdom at the time of signature of the Convention are maintained.

Secondly, the United Kingdom does not regard the Commonwealth Immigrants Acts, 1962 and 1968, or their application, as involving any racial discrimination within the meaning of paragraph 1 of article 1, or any other provision of the Convention, and fully reserves its right to continue to apply those Acts.

Lastly, to the extent if any, that any law relating to election in Fiji may not fulfil the obligations referred to in article 5 (c), that any law relating to land in Fiji which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), or that the school system of Fiji may not fulfil the obligations referred to in articles 2, 3 or 5 (e) (v), the United Kingdom reserves the right not to apply the Convention to Fiji.

UNITED STATES OF AMERICA

Upon signature

The Constitution of the United States contains provisions for the protection of individual rights, such as the right of free speech, and nothing in the Convention shall be deemed to require or to authorize legislation or other action by the United States of America incompatible with the provisions of the Constitution of the United States of America.

Upon ratification

I. The Senate's advice and consent is subject to the following reservations:

(1) That the Constitution and laws of the United States contain extensive protections of individual freedom of speech, expression and association. Accordingly, the United States does not accept any obligation under this Convention, in particular under articles 4 and 7, to restrict those rights, through the adoption of legislation or any other measures, to the extent that they are protected by the Constitution and laws of the United States.

(2) That the Constitution and laws of the United States establish extensive protections against discrimination, reaching significant areas of non-governmental activity. Individual privacy and freedom from governmental interference in private conduct, however, are also recognized as among the fundamental values which shape our free and democratic society. The United States understands that the identification of the rights protected under the Convention by reference in article 1 to fields of "public life" reflects a similar distinction between spheres of public conduct that are customarily the subject of governmental regulation, and spheres of private conduct that are not. To the extent, however, that the Convention calls for a broader regulation of private conduct, the United States does not accept any obligation under this Convention to enact legislation or take other measures under paragraph (1) of article 2, subparagraphs (1) (c) and (d) of article 2, article 3 and article 5 with respect to private conduct except as mandated by the Constitution and laws of the United States.

(3) That with reference to article 22 of the Convention, before any dispute to which the United States is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of the United States is required in each case.

II. The Senate's advice and consent is subject to the following understanding, which shall apply to the obligations of the United States under this Convention:

That the United States understands that this Convention shall be implemented by the Federal Government to the extent that it exercises jurisdiction over the matters covered therein, and otherwise by the state and local governments to the extent that state and local governments exercise jurisdiction over such matters, the Federal Government shall, as necessary, take appropriate measures to ensure the fulfilment of this Convention.

III. The Senate's advice and consent is subject to the following declaration:

That the United States declares that the provisions of the Convention are not self-executing.

VIET NAM[13]

Declaration

(1) The Government of the Socialist Republic of Viet Nam declares that the provisions of article 17 (1) and of article 18 (1) of the Convention whereby a number of States are deprived of the opportunity of becoming parties to the said Convention are of a discriminatory nature and it considers that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all States without discrimination or restriction of any kind.

Reservation

(2) The Government of the Socialist Republic of Viet Nam does not consider itself bound by the provisions of article 22 of the Convention and holds that, for any dispute with regard to the interpretation or application of the Convention to be brought before the International Court of Justice, the consent of all parties to the dispute is necessary. (The reservation was circulated by the Secretary-General on 10 August 1982.)

YEMEN[9 10]

The accession of the People's Democratic Republic of Yemen to this Convention shall in no way signify recognition of Israel or entry into a relationship with it regarding any matter regulated by the said Convention.

The People's Democratic Republic of Yemen does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court of Justice.

The People's Democratic Republic of Yemen states that the provisions of article 17, paragraph 1, and article 18, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become parties to the Convention is of a discriminatory nature, and holds that, in accordance with the principle of the sovereign equality of States, the Convention should be opened to participation by all interested States without discrimination or restriction of any kind.

B. Notifications of withdrawal of certain reservations and declarations

BELARUS

[19 April 1989]

Withdrawal of a reservation

The Government of the Byelorussian Soviet Socialist Republic notified the Secretary-General of its decision to withdraw the following reservation concerning article 22 made upon ratification:

> "The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 22 of the Convention under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court."

BULGARIA

[24 June 1992]

Withdrawal of a reservation

The Government of Bulgaria notified the Secretary-General of its decision to withdraw the following reservation concerning article 22 made upon signature and confirmed on ratification:

> "The People's Republic of Bulgaria does not consider itself bound by the provisions of article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination, which provides for the compulsory jurisdiction of the International Court of Justice in the settlement of disputes with respect to the interpretation or application of the Convention. The People's Republic of Bulgaria maintains its position that no dispute between two or more States can be referred to the International Court of Justice without the consent in each particular case of all the States parties to the dispute."

CZECH REPUBLIC

[26 April 1991]

Withdrawal of a reservation

The Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation on article 22:

> "The Czechoslovak Socialist Republic does not consider itself bound by the provision of article 22 and maintains that any dispute between two or more parties over the interpretation or application of the Convention, which is not settled by negotiation or by procedures expressly provided for in the Convention, can be referred to the International Court of Justice only at the request of all the parties to the dispute, if they did not agree to another means of settlement."

DENMARK

[4 October 1972]

Withdrawal of a reservation

The Government of Denmark notified the Secretary-General that it withdrew the following reservation made with regard to the implementation of the Faroe Islands of the Convention:

> "The Home Government of the Faroe Islands has yet to approve the legislation enacted to implement the Convention in the other parts of Denmark."

The legislation by which the Convention has been implemented on the Faroe Islands entered into force by 1 November 1972, from which date the withdrawal of the above reservation became effective.

EGYPT

[18 January 1980]

Withdrawal of a declaration

The Government of Egypt informed the Secretary-General that it had decided to withdraw the following declaration relating to Israel:

> "... does not imply any recognition of Israel, or entering into any relationship with Israel governed by the provisions of the Convention."

The notification indicates 25 January 1980 as the effective date of the withdrawal.

HUNGARY

[13 September 1989]

Withdrawal of a reservation

The Government of Hungary notified the Secretary-General of its decision to withdraw the following reservation concerning article 22 made upon ratification:

> "The Hungarian People's Republic does not consider itself bound by article 22 of the Convention providing that any dispute between two or more States parties with respect to the interpretation or application of the Convention shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision. The Hungarian People's Republic takes the view that such disputes shall be referred to the International Court of Justice only by agreement of all parties concerned."

MONGOLIA

[19 July 1990]

Withdrawal of a reservation

The Government of Mongolia notified the Secretary-General of its decision to withdraw the following reservation concerning article 22 made upon ratification:

> "The Mongolian People's Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court."

POLAND

[16 October 1997]

Withdrawal of a reservation

The Government of Poland notified the Secretary-General that it had decided to withdraw the following reservations of the Convention made upon ratification:

> "The Polish People's Republic does not consider itself bound by the provisions of article 22 of the Convention.

"The Polish People's Republic considers that the provisions of article 17, paragraph 1, and article 18, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, which make it impossible for many States to become parties to the said Convention, are of a discriminatory nature and are incompatible with the object and purpose of that Convention.

"The Polish People's Republic considers that, in accordance with the principle of the sovereign equality of States, the said Convention should be open for participation by all States without any discrimination or restrictions whatsoever."

RUSSIAN FEDERATION

[8 March 1989]

Withdrawal of a reservation

The Government of the Union of Soviet Socialist Republics notified the Secretary-General of its decision to withdraw the following reservation concerning article 22 made upon ratification:

"The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court."

TONGA

[28 October 1977]

Withdrawal of certain reservations

The Government of Tonga informed the Secretary-General that it had decided to withdraw the reservations relating to article 5 (c) insofar as it relates to elections, and its reservations relating to articles 2, 3 and 5 (e) (v), insofar as these articles relate to education and training. For the text of the original reservation, see section A above.

UKRAINE

[20 April 1989]

Withdrawal of a reservation

The Government of the Ukrainian Soviet Socialist Republic notified the Secretary-General of its decision to withdraw the following reservation concerning article 22 made upon ratification:

"The Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court."

C. Objections to reservations and declarations

(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)

AUSTRALIA

[8 August 1989]

In accordance with article 20 (2), Australia objects to [the reservations made by Yemen] which it considers impermissible as being incompatible with the object and purpose of the Convention.

AUSTRIA

[19 February 1998]

With regard to the reservation made by Saudi Arabia upon accession

Austria is of the view that a reservation by which a State limits its responsibilities under the Convention in a general and unspecified manner creates doubts as to the commitment of the Kingdom of Saudi Arabia with its obligations under the Convention, essential for the fulfilment of its objection and purpose. According to paragraph 2 of article 20 a reservation incompatible with the object and purpose of this Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

Austria is further of the view that a general reservation of the kind made by the Government of the Kingdom of Saudi Arabia, which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, contributes to undermining the basis of international treaty law.

According to international law a reservation is inadmissible to the extent as its application negatively affects the compliance by a State with its obligations under the Convention essential for the fulfilment of its object and purpose.

Therefore, Austria cannot consider the reservation made by the Government of the Kingdom of Saudi Arabia as admissible unless the Government of the Kingdom of Saudi Arabia, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between the Kingdom of Saudi Arabia and Austria.

BELARUS

[29 December 1983]

The ratification of the above-mentioned International Convention by the so-called "Government of Democratic Kampuchea" - the Pol Pot-Ieng Sary clique of hangmen overthrown by the Kampuchean people - is completely unlawful and has no legal force. There is only one State of Kampuchea in the world - The People's Republic of Kampuchea, recognized by a large number of countries. All power in this State is entirely in the hands of its only lawful Government, the Government of the People's Republic of Kampuchea, which has the exclusive right to act in the name of Kampuchea in the international arena, including the right to ratify international agreements prepared within the United Nations.

The farce involving the ratification of the above-mentioned International Convention by a clique representing no one mocks the norms of law and morality and blasphemes the memory of millions of Kampuchean victims of the genocide committed by the Pol Pot-Ieng Sary regime.

BELGIUM

[8 August 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

These reservations are incompatible with the object and purpose of the Convention and consequently are not permitted pursuant to article 20, paragraph 2, of the Convention.

CANADA

[10 August 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

The effect of these reservations would be to allow racial discrimination in respect of certain of the rights enumerated in article 5. Since the objective of the International Convention

on the Elimination of All Forms of Racial Discrimination, as stated in its Preamble, is to eliminate racial discrimination in all its forms and manifestations, the Government of Canada believes that the reservations made by the Yemen Arab Republic are incompatible with the object and purpose of the International Convention. Moreover, the Government of Canada believes that the principle of non-discrimination is generally accepted and recognized in international law and therefore is binding on all States.

CZECH REPUBLIC[5]

DENMARK

[10 July 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

Article 5 contains undertakings, in compliance with the fundamental obligations laid down in article 2 of the Convention, to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the rights enumerated in the article.

The reservations made by the Government of Yemen are incompatible with the object and purpose of the Convention and the reservations are consequently impermissible according to article 20, paragraph 2 of the Convention. In accordance with article 20, paragraph 1 of the Convention the Government of Denmark therefore formally objects to these reservations. This objection does not have the effect of preventing the Convention from entering into force between Denmark and Yemen, and the reservations cannot alter or modify in any respect, the obligations arising from the Convention.

ETHIOPIA

[25 January 1984]

The Provisional Military Government of Socialist Ethiopia should like to reiterate that the Government of the People's Republic of Kampuchea is the sole legitimate representative of the People of Kampuchea and as such it alone has the authority to act on behalf of Kampuchea.

The Provisional Military Government of Socialist Ethiopia, therefore, considers the ratification of the so-called "Government of Democratic Kampuchea" to be null and void.

FINLAND

[7 July 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

The Government of Finland formally, and in accordance with article 20 (2) of the Convention, objects to the reservations made by Yemen to the above provisions.

In the first place, the reservations concern matters which are of fundamental importance in the Convention. The first paragraph of article 5 clearly brings this out. According to it, the parties have undertaken to guarantee the rights listed in that article "In compliance with fundamental obligations laid down in article 2 of the Convention". Clearly, provisions prohibiting racial discrimination in the granting of such fundamental political rights and civil liberties as the right to participate in public life, to marry and choose a spouse, to inherit and to enjoy freedom of thought, conscience and religion are central in a convention against racial discrimination. Therefore, the reservations are incompatible with the object and purpose of the Convention, as specified in paragraph 20 (2) thereof and in article 19 (c) of the Vienna Convention on the Law of Treaties.

Moreover, it is the view of the Government of Finland that it would be unthinkable that merely by making a reservation to the said provisions, a State could achieve the liberty to start discriminatory practices on the grounds of race, colour, or national or ethnic origin in regard to such fundamental political rights and civil liberties as the right to participate in the conduct of public affairs, the right of marriage and choice of spouse, the right of inheritance and the freedom of thought, conscience and religion. Any racial discrimination in respect of those general principles of human rights law as reflected in the Universal Declaration on Human Rights and the practice of States and international organizations. (Sic) By making a reservation a State cannot contract out from universally binding human rights standards.

For the above reasons, the Government of Finland notes that the reservations made by Yemen are devoid of legal effect. However, the Government of Finland does not consider that this fact is an obstacle to the entry into force of the Convention in respect of Yemen.

[6 February 1998]

With regard to reservations made by Saudi Arabia upon accession

The Government of Finland is of the view that this general reservation raises doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that according to paragraph 2 of article 20 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Finland would also like to recall that according to the said paragraph a reservation shall be considered incompatible or inhibitive if at least two thirds of the States parties to the Convention object to it.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Finland is further of the view that general reservations of the kind made by Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Finland therefore objects to the aforesaid general reservation made by the Government of Saudi Arabia to the [said Convention].

FRANCE

[15 May 1984]

The Government of the French Republic, which does not recognize the coalition Government of Democratic Cambodia, declares that the instrument of ratification by the coalition Government of Democratic Cambodia of the [International] Convention on the Elimination of All Forms of Racial Discrimination, opened for signature at New York on 7 March 1966, is without effect.

[20 September 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

France considers that the reservations made by the Yemen Arab Republic to the International Convention on the Elimination of All Forms of Racial Discrimination are not valid as being incompatible with the object and purpose of the Convention.

Such objection is not an obstacle to the entry into force of the said Convention between France and the Yemen Arab Republic.

GERMANY

[8 August 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

These reservations relate to the basic obligations of States Parties to the Convention to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone to equality before the law and include the enjoyment of such fundamental political and civil

rights as the right to take part in the conduct of public life, the right to marriage and choice of spouse, the right to inherit and the right to freedom of thought, conscience and religion. As a result, the reservations made by Yemen are incompatible with the object and purpose of the Convention within the meaning of article 20, paragraph 2 thereof.

[3 February 1998]

With regard to reservations made by Saudi Arabia upon accession

The Government of the Federal Republic of Germany is of the view that this reservation may raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention.

The Government of the Federal Republic of Germany would like to recall that, according to paragraph 2 of article 20 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the said reservation.

The objection does not preclude the entry into force of the Convention between Saudi Arabia and the Federal Republic of Germany.

ITALY

[7 August 1989]

The Government of the Republic of Italy raises an objection to the reservations entered by the Government of the Arab Republic of Yemen to article 5 [(c) and (d) (iv), (vi) and (vii)] of the above-mentioned Convention.

MEXICO

[11 August 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

The Government of the United Mexican States has concluded that, in view of article 20 of the Convention, the reservation must be deemed invalid, as it is incompatible with the object and purpose of the Convention.

Said reservation, if implemented would result in discrimination to the detriment of a certain sector of the population and, at the same time, would violate the rights established in articles 2, 16 and 18 of the Universal Declaration of Human Rights of 1948.

The objection of the United Mexican States to the reservation in question should not be interpreted as an impediment to the entry into force of the Convention of 1966 between the United States of Mexico and the Government of Yemen.

MONGOLIA

[7 June 1984]

The Government of the Mongolian People's Republic considers that only the People's Revolutionary Council of Kampuchea as the sole authentic and lawful representative of the Kampuchean people has the right to assume international obligations on behalf of the Kampuchean people. Therefore the Government of the Mongolian People's Republic considers that the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination by the so-called Democratic Kampuchea, a regime that ceased to exist as a result of the people's revolution in Kampuchea, is null and void.

NETHERLANDS

[25 July 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

The Kingdom of the Netherlands objects to the above-mentioned reservations, as they are incompatible with the object and purpose of the Convention.

These objections are not an obstacle for the entry into force of this Convention between the Kingdom of the Netherlands and Yemen.

[3 February 1998]

With regard to reservations made by Saudi Arabia upon accession

[Same objection, identical in essence, mutatis mutandis, as the one made for Yemen.]

NEW ZEALAND

[4 August 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

The New Zealand Government is of the view that those provisions contain undertakings which are themselves fundamental to the Convention. Accordingly it considers that the reservations purportedly made by Yemen relating to political and civil rights are incompatible with the object and purpose of the Treaty within the terms of article 19 (c) of the Vienna Convention on the Law of Treaties.

The Government of New Zealand advises therefore under article 20 of the Convention on the Elimination of All Forms of Racial Discrimination that it does not accept the reservations made by Yemen.

NORWAY

[28 July 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

The Government of Norway hereby enters its formal objection to the reservations made by Yemen.

[6 February 1998]

With regard to reservations made by Saudi Arabia upon accession

The Government of Norway considers that the reservation made by the Government of Saudi Arabia, due to its unlimited scope and undefined character, is contrary to the object and purpose of the Convention, and thus impermissible under article 20, paragraph 2, of the Convention. Under well-established treaty law, a State party may not invoke the provisions of its internal law as justification for its failure to perform treaty obligations. For these reasons, the Government of Norway objects to the reservation made by the Government of Saudi Arabia.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the Kingdom of Saudi Arabia.

RUSSIAN FEDERATION

[28 December 1983]

The ratification of the above-mentioned International Convention by the so-called "Government of Democratic Kampuchea" - the Pol Pot clique of hangmen overthrown by the Kampuchean people - is completely unlawful and has no legal force. Only the representatives authorized by the State Council of the People's Republic of Kampuchea can act in the name of Kampuchea. There is only one State of Kampuchea in the world - the People's Republic of Kampuchea, which has been recognized by a large number of countries. All power in this State is entirely in the hands of its only lawful Government, the Government of the People's Republic of Kampuchea, which has the exclusive right to act in the name of Kampuchea in the international arena, including the right to ratify international agreements prepared within the United Nations.

Nor should one fail to observe that the farce involving the ratification of the above-mentioned International Convention by a clique representing no one mocks the norms of law and morality and is a direct insult to the memory of millions of Kampuchean victims of the genocide committed against the Kampuchean people by the Pol Pot Sary regime. The entire international community is familiar with the bloody crimes of that puppet clique.

SLOVAKIA[5]

SPAIN

[18 September 1998]

With regard to a reservation made by Saudi Arabia upon accession

The Government of Spain considers that, given its unlimited scope and undefined nature, the reservation made by the Government of Saudi Arabia is contrary to the object and purpose of the Convention and therefore inadmissible under article 10, paragraph 2, of the Convention. Under the generally accepted law of treaties, a State party may not invoke the provisions of its domestic law as a justification for failure to perform its treaty obligations. The Government of Spain therefore formulates an objection to the reservation made by the Government of Saudi Arabia.

The Government of Spain does not consider that this objection constitutes an obstacle to the entry into force of the Convention between the Kingdom of Spain and the Kingdom of Saudi Arabia.

SWEDEN

[5 July 1989]

With regard to reservations made by Yemen concerning article 5 (c) and article 5 (d) (iv), (vi) and (vii)

Article 5 contains undertakings, in compliance with the fundamental obligations laid down in article 2 of the Convention, to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the rights enumerated in the article.

The Government of Sweden has come to the conclusion that the reservations made by Yemen are incompatible with the object and purpose of the Convention and therefore are impermissible according to article 20, paragraph 2 of the Convention. For this reason the Government of Sweden objects to these reservations. This objection does not have the effect of preventing the Convention from entering into force between Sweden and Yemen, and the reservations cannot alter or modify, in any respect, the obligations arising from the Convention.

[27 July 1998]

With regard to reservations made by Saudi Arabia upon accession

The Government of Sweden notes that the said reservation is a reservation of a general kind in respect of the provisions of the Convention which may be in conflict with the precepts of the Islamic Shariah.

The Government of Sweden is of the view that this general reservation raises doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that, according to article 20, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of this Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservation made by the Government of Saudi Arabia to the [said Convention].

This objection does not preclude the entry into force of the Convention between Saudi Arabia and Sweden. The Convention will thus become operative between the two States without Saudi Arabia benefiting from this reservation.

UKRAINE

[17 January 1984]

The ratification of the above-mentioned international Convention by the Pol Pot-Ieng Sary clique, which is guilty of the annihilation of millions of Kampucheans and which was overthrown in 1979 by the Kampuchean people, is thoroughly illegal and has no juridical force. There is only one Kampuchean State in the World, namely, the People's Republic of Kampuchea. All authority in this State is vested wholly in its sole legitimate Government, the Government of the People's Republic of Kampuchea. This Government alone has the exclusive right to speak on behalf of Kampuchea at the international level, while the supreme organ of State power, the State Council of the People's Republic of Kampuchea has the exclusive right to ratify international agreements drawn up within the framework of the United Nations.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

[4 August 1989]

The Government of the United Kingdom of Great Britain and Northern Ireland does not accept the reservations made by the Yemen Arab Republic to article 5 (c) and (d) (iv), (vi) and (vii) of the International Convention on the Elimination of All Forms of Racial Discrimination.

VIET NAM

[29 February 1984]

The Government of the Socialist Republic of Viet Nam considers that only the Government of the People's Republic of Kampuchea, which is the sole genuine and legitimate representative of the Kampuchean People, is empowered to act on their behalf to sign, ratify or accede to international conventions.

The Government of the Socialist Republic of Viet Nam rejects as null and void the ratification of the above-mentioned international Convention by the so-called "Democratic Kampuchea" - a genocidal regime overthrown by the Kampuchean people since 7 January 1979.

Furthermore, the ratification of the Convention by a genocidal regime, which massacred more than 3 million Kampuchean people in gross violation of fundamental standards of morality and international laws on human rights, simply plays down the significance of the Convention and jeopardizes the prestige of the United Nations.

III. TEXT OF DECLARATIONS RECOGNIZING THE COMPETENCE OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION IN ACCORDANCE WITH ARTICLE 14 OF THE CONVENTION AS AT 27 APRIL 2001 (33)[23]

A. General information

Article 14 of the Convention entered into force on 3 December 1982, following the deposit with the Secretary-General of the tenth declaration recognizing the competence of the Committee to receive and consider communications from individuals and groups of individuals.

The 33 States which have made the declaration under article 14 of the Convention as at 27 April 2001 are as follows:

State party	Date of deposit of the declaration	Effective date
Algeria	12 September 1989	12 September 1989
Australia	28 January 1993	28 January 1993
Belgium	10 October 2000	10 October 2000
Bulgaria	12 May 1993	12 May 1993
Chile	18 May 1994	18 May 1994
Costa Rica	8 January 1974	8 January 1974
Cyprus	30 December 1993	30 December 1993
Czech Republic	11 October 2000	11 October 2000
Denmark	11 October 1985	11 October 1985
Ecuador	18 March 1977	18 March 1977
Finland	16 November 1994	16 November 1994
France	16 August 1982	16 August 1982
Hungary	13 September 1990	13 September 1990
Iceland	10 August 1981	10 August 1981
Ireland	29 December 2000	28 January 2001
Italy	5 May 1978	5 May 1978
Luxembourg	22 July 1996	22 July 1996
Malta	16 December 1998	16 December 1998
Netherlands	10 December 1971	9 January 1972
Norway	23 January 1976	23 January 1976
Peru	27 November 1984	27 November 1984
Poland	1 December 1998	1 December 1998
Portugal	2 March 2000	2 March 2000
Republic of Korea	5 March 1997	5 March 1997
Russian Federation	1 October 1991	1 October 1991
Senegal	3 December 1982	3 December 1982
Slovakia	17 March 1995	17 March 1995
South Africa	9 January 1999	9 January 1999
Spain	13 January 1998	13 January 1998
Sweden	6 December 1971	5 January 1972
The former Yugoslav Republic of Macedonia	22 December 1999	22 December 1999
Ukraine	28 July 1992	28 July 1992
Uruguay	11 September 1972	11 September 1972

B. Declarations

ALGERIA

[12 September 1989]

The Algerian Government declares, pursuant to article 14 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by it of any of the rights set forth in the Convention.

AUSTRALIA

[28 January 1993]

The Government of Australia hereby declares that it recognizes, for and on behalf of Australia, the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Australia of any of the rights set forth in the aforesaid Convention.

BELGIUM

[10 October 2000]

Belgium recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the aforementioned Convention, to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Belgium of any of the rights set forth in the Convention. Pursuant to article 14, paragraph 2, of the Convention, the Centre pour l'Egalité des Chances et la Lutte contre le Racisme (Centre for Equal Opportunity and the Struggle against Racism), established by the Act of 15 February 1993, has been designated as competent to receive and consider petitions from individuals and groups of individuals within the jurisdiction of Belgium who claim to be victims of a violation of any of the rights set forth in the Convention.

BULGARIA

[12 May 1993]

The Republic of Bulgaria declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Bulgaria of any of the rights set forth in this Convention.

CHILE

[18 May 1994]

In accordance with article 14 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination, the Government of Chile declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Government of Chile of any of the rights set forth in this Convention.

COSTA RICA

[8 January 1974]

Costa Rica recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 8 of the Convention on the Elimination of All Forms of Racial Discrimination, in accordance with article 14 of the Convention, to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the State of any of the rights set forth in the Convention.

CYPRUS

The Republic of Cyprus recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 14 (1) of [the Convention] to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Cyprus of any of the rights set forth in this Convention.

CZECH REPUBLIC

[11 October 2000]

The Czech Republic declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination.

DENMARK

[11 October 1985]

Denmark recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within Danish jurisdiction claiming to be victims of a violation by Denmark of any of

the rights set forth in the Convention, with the reservation that the Committee shall not consider any communications unless it has ascertained that the same matter has not been, and is not being, examined under another procedure of international investigation or settlement.

ECUADOR

[18 March 1977]

The State of Ecuador, by virtue of article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of the rights set forth in the above-mentioned Convention.

FINLAND

[16 November 1994]

Finland recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Finland claiming to be victims of a violation by Finland of any of the rights set forth in the said Convention, with the reservation that the Committee shall not consider any communication from an individual or a group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

FRANCE

[16 August 1982]

[The Government of the French Republic declares], in accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination opened for signature on 7 March 1966, [that it] recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within French jurisdiction that either by reason of acts or omissions, events or deeds occurring after 15 August 1982, or by reason of a decision concerning the acts or omissions, events or deeds after the said date, would complain of being victims of a violation, by the French Republic, of one of the rights mentioned in the Convention.

HUNGARY

[13 September 1989]

The Hungarian People's Republic hereby recognizes the competence of the Committee established by the International Convention on the Elimination of All Forms of Racial Discrimination provided for in paragraph 1 of article 14 of the Convention.

ICELAND

[10 August 1981]

[The Government of Iceland declares] in accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination which was opened for signature in New York on 7 March 1966, that Iceland recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Iceland claiming to be victims of a violation by Iceland of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication from an individual or group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

IRELAND

"With reference to article 14, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, opened for signature at New York on 7 March 1966, Ireland recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the afore-mentioned Convention to receive and consider communications from individuals or groups of individuals within Ireland claiming to be victims of a violation by Ireland of any of the rights set forth in the Convention.

"Ireland recognizes that competence on the understanding that the said Committee shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement."

ITALY

[5 May 1978]

With reference to article 14, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, opened for signature at New York on 7 March 1966, the Government of the Italian Republic recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the aforementioned Convention, to receive and consider communications from individuals or groups of individuals within Italian jurisdiction claiming to be victims of a violation by Italy of any of the rights set forth in the Convention.

The Government of the Italian Republic recognizes that competence on the understanding that the Committee on the Elimination of Racial Discrimination shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement.

LUXEMBOURG

[22 July 1996]

Pursuant to article 14 (1) of the [said Convention], Luxembourg declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Luxembourg of any of the rights set forth in the Convention.

Pursuant to article 14 (2) of the [said Convention], the "Commission spéciale permanente contre la discrimination", created in May 1996 pursuant to article 24 of the law dated 27 July 1993 on the integration of aliens, shall be competent to receive and consider petitions from individuals and groups of individuals within the jurisdiction of Luxembourg who claim to be victims of a violation of any of the rights set forth in the Convention.

MALTA

[16 December 1998]

Malta declares that it recognizes the competence of the Committee to receive and consider communications from individuals subject to the jurisdiction of Malta who claim to be victims of a violation by Malta of any of the rights set forth in the Convention which results from situations or events occurring after the date of adoption of the present declaration, or from a decision relating to situations or events occurring after that date.

The Government of Malta recognizes this competence on the understanding that the Committee on the Elimination of Racial Discrimination shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement.

NETHERLANDS

In accordance with article 14, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination concluded at New York on 7 March 1966, the Kingdom of the Netherlands recognizes, for the Kingdom in Europe, Suriname and the Netherlands Antilles, the competence of the Committee for the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation, by the Kingdom of the Netherlands, of any of the rights set forth in the above-mentioned Convention.

NORWAY

[23 January 1976]

The Norwegian Government recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Norway claiming to be victims of a violation by Norway of any of the rights set forth in the International Convention of 21 December 1965 on the Elimination of All Forms of Racial Discrimination according to article 14 of the said Convention, with the reservation that the Committee shall not consider any communication from an individual or group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

PERU

[27 November 1984]

[The Government of the Republic of Peru declares] that, in accordance with its policy of full respect for human rights and fundamental freedoms, without distinctions as to race, sex, language or religion, and with the aim of strengthening the international instruments on the subject, Peru recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction, who claim to be victims of violations of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination, in conformity with the provisions of article 14 of the Convention.

POLAND

[1 December 1998]

The Government of the Republic of Poland recognizes the competence of the Committee on the Elimination of All Forms of Racial Discrimination, established by the provisions of the aforementioned Convention, to receive and consider communications from individuals or groups of individuals within the jurisdiction of the Republic of Poland claiming to be victims of a violation by the Republic of Poland of the rights set forth in the above Convention and concerning all deeds, decisions and facts which will occur after the day this Declaration has been deposited with the Secretary-General of the United Nations.

PORTUGAL[24]

[2 March 2000]

"... The Government of Portugal recognizes the competence of the Committee established under article 14 of the Convention on the Elimination of All Forms of Racial Discrimination to

receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Portugal of any of the rights set forth in that Convention.

"Portugal recognizes such jurisdiction provided that the Committee does not consider any communication unless it is satisfied that the matter has neither been examined nor is it subject to appreciation by any other international body with powers of inquiry or decision.

"Portugal indicates the High Commissioner for Immigration and Ethnic Minorities as the body with competence to receive and consider petitions from individuals and groups of individuals that claim to be victims of violation of any of the rights set forth in the Convention."

REPUBLIC OF KOREA

[5 March 1997]

The Government of the Republic of Korea recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of the Republic of Korea claiming to be victims of a violation by the Republic of Korea of any of the rights set forth in the said Convention.

RUSSIAN FEDERATION

[1 October 1991]

The Union of Soviet Socialist Republics declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications, in respect of situations and events occurring after the adoption of the present declaration, from individuals or groups of individuals within the jurisdiction of the USSR claiming to be victims of a violation by the USSR of any of the rights set forth in the Convention.

SENEGAL

[3 December 1982]

In accordance with [article 14], the Government of Senegal declares that it recognizes the competence of the Committee (on the Elimination of Racial Discrimination) to receive and consider communications from individuals within its jurisdiction claiming to be victims of a violation by Senegal of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination.

SLOVAKIA

[17 March 1995]

The Slovak Republic, pursuant to article 14 of the Convention, recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the Convention.

SOUTH AFRICA

[9 January 1999]

The Republic of South Africa

(a) declares that, for the purposes of paragraph 1 of article 14 of the Convention, it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the Republic's jurisdiction claiming to be victims of a violation by the Republic in any of the rights set forth in the Convention after having exhausted all domestic remedies

and

(b) indicates that, for the purposes of paragraph 2 of article 14 of the Convention, the South African Human Rights Commission is the body within the Republic's national legal order which shall be competent to receive and consider petitions from individuals or groups of individuals within the Republic's jurisdiction who claim to be victims of any of the rights set forth in the Convention.

SPAIN

[13 January 1998]

[The Government of Spain] recognizes the competence of the Committee on the elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Spain claiming to be victims of violations by the Spanish State of any of the rights set forth in that Convention.

Such competence shall be accepted only after appeals to national jurisdiction bodies have been exhausted, and it must be exercised within three months following the date of the final judicial decision.

SWEDEN

Sweden recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Sweden claiming to be victims of a violation by Sweden of

any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication from an individual or a group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA[26]

[22 December 1999]

"The Republic of Macedonia declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Macedonia of any of their rights set forth in this Convention, with the reservation that the Committee shall not consider any communication from individuals or groups of individuals, unless it has ascertained that the same matter has not been, and is not being, examined under another procedure of international investigation or settlement."

UKRAINE

[28 July 1992]

In accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, Ukraine declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals [within its jurisdiction] claiming to be victims of a violation by [it] of any of the rights set forth in the Convention.

URUGUAY

[11 September 1972]

The Government of Uruguay recognizes the competence of the Committee on the Elimination of Racial Discrimination, under article 14 of the Convention.

Notes

[1] Official Records of the General Assembly, twentieth session, Supplement No. 14 (A/6014), p. 47.

[2] Article 19 of the Convention provides that the Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification or instrument of accession. On 5 December 1968, the Government of Poland deposited the twenty-seventh instrument. However, among those instruments there were some which contained a reservation and therefore were subject to the provisions of article 20 of the Convention allowing States to notify objections within 90 days from the date of circulation by the Secretary-General of the reservations. In respect of two such instruments, namely those of Kuwait and Spain, the 90-day period had not yet expired on the

date of deposit of the twenty-seventh instrument. The reservation contained in one further instrument, that of India, had not yet been circulated on that date, and the twenty-seventh instrument itself, that of Poland, contained a reservation; in respect of these two instruments the 90-day period would only begin to run on the date of the Secretary-General's notification of their deposit. Therefore, in that notification, which was dated 13 December 1968, the Secretary-General called the attention of the interested States to the situation and stated the following:

> "It appears from the provisions of article 20 of the Convention that it would not be possible to determine the legal effect of the four instruments in question pending the expiry of the respective periods of time mentioned in the preceding paragraph.
>
> "Having regard to the above-mentioned consideration, the Secretary-General is not at the present time in a position to ascertain the date of entry into force of the Convention."

Subsequently, in a notification dated 17 March 1969, the Secretary-General informed the interested States: (a) that within the period of 90 days from the date of his previous notification he had received an objection from one State to the reservation contained in the instrument of ratification by the Government of India; and (b) that the Convention, in accordance with paragraph 1 of article 19, had entered into force on 4 January 1969, i.e. on the thirtieth day after the date of deposit of the instrument of ratification of the Convention by the Government of Poland, which was the twenty-seventh instrument of ratification or instrument of accession deposited with the Secretary-General.

[3] The Convention had previously been signed and ratified on behalf of the Republic of China on 31 March 1966 and 10 December 1970, respectively.

China is an original Member of the United Nations, the Charter having been signed and ratified on its behalf, on 26 June and 28 September 1945, respectively, by the Government of the Republic of China, which continued to represent China in the United Nations until 25 October 1971.

On 25 October 1971, the General Assembly of the United Nations adopted its resolution 2758 (XXVI), reading as follows:

> The General Assembly,
>
> Recalling the principles of the Charter of the United Nations,
>
> Considering that the restoration of the lawful rights of the People's Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter,

Recognizing that the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the five permanent members of the Security Council,

Decides to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it.

The United Nations has been notified on 18 November 1949 of the formation, on 1 October 1949, of the Central People's Government of the People's Republic of China. Proposals to effect a change in the representation of China in the United Nations subsequent to that time were not approved until the resolution quoted above was adopted.

On 29 September 1972, a communication was received by the Secretary-General from the Minister of Foreign Affairs of the People's Republic of China stating:

1. With regard to the multilateral treaties signed, ratified or acceded to by the defunct Chinese Government before the establishment of the People's Republic of China, my Government will examine their contents before making a decision in the light of the circumstances as to whether or not they should be recognized.

2. As from 1 October 1949, the day of the founding of the People's Republic of China, the Chiang Kai-shek clique has no right at all to represent China. Its signature and ratification of, or accession to, any multilateral treaties by usurping the name of China are all illegal and null and void. My Government will study these multilateral treaties before making a decision in the light of the circumstances as to whether or not they should be acceded to.

All entries recorded throughout this publication in respect of China refer to actions taken by the authorities representing China in the United Nations at the time of those actions.

With reference to the above-mentioned signature and/or ratification, communications have been received by the Secretary-General from the Governments of Bulgaria (12 March 1971), Mongolia (11 January 1971), the Byelorussian Soviet Socialist Republic (9 June 1971), the Ukrainian Soviet Socialist Republic (21 April 1971) and the Union of Soviet Socialist Republics (18 January 1971) stating that they considered the said signature and/or ratification as null and void, since the so-called "Government of China" had no right to speak or assume obligations on behalf of China, there being only one Chinese State, the People's Republic of China, and one Government entitled to represent it, the Government of the People's Republic of China.

In letters addressed to the Secretary-General in regard to the above-mentioned communications, the Permanent Representative of China to the United Nations stated that the Republic of China, a sovereign State and Member of the United Nations, had attended the twentieth regular session of the United Nations General Assembly, contributed to the formulation of the Convention concerned, signed the Convention and duly deposited the

instrument of ratification thereof, and that "any statements and reservations relating to the above-mentioned Convention that are incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China under this Convention".

Finally, upon depositing its instrument of accession, the Government of the People's Republic of China made the following declaration: The signing and ratification of the said Convention by the Taiwan authorities in the name of China are illegal and null and void.

[4] On 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

In accordance with the Declaration of the Government of the People's Republic of China and the United Kingdom of Great Britain and Northern Ireland on the question of Hong Kong signed on 19 December 1984, the People's Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibility of the Central People's Government of the People's Republic of China.

The [said Convention], which the Government of the People's Republic of China ratified on [18] April 1983, will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. (The notification also contained the following declaration: The reservation to article IX of the said Convention made by the Government of the People's Republic of China will also apply to the Hong Kong Special Administrative Region.)

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Hong Kong Special Administrative Region.

Subsequently, on 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

> "In accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the [said Convention] to Hong Kong."

In addition, the notification made by the Government of China contained the following declarations:

1. The reservation made by the Government of the People's Republic of China to article 22 will also apply to the Hong Kong Special Administrative Region.

2. The reservation of the People's Republic of China on behalf of the Hong Kong Special Administrative Region interprets the requirement in article 6 concerning "reparation and satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end.

[5] Czechoslovakia had signed and ratified the Convention on 7 October 1966 and 29 December 1966, respectively, with reservations. Subsequently, on 12 March 1984, the Government of Czechoslovakia made an objection to the ratification by Democratic Kampuchea. Further, by a notification received on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation to article 22 made upon signature and confirmed upon ratification. For the text of the reservations and the objection see United Nations, Treaty Series, vol. 660, p. 276 and vol. 1350, p. 386, respectively. In a letter dated 16 February 1993, received by the Secretary-General on 22 February 1993 and accompanied by a list of multilateral treaties deposited with the Secretary-General, the Government of the Czech Republic notified that:

In conformity with the valid principles of international law and to the extent defined by it, the Czech Republic, as a successor State to the Czech and Slovak Federal Republic, considers itself bound, as of 1 January 1993, i.e. the date of the dissolution of the Czech and Slovak Federal Republic, by multilateral international treaties to which the Czech and Slovak Federal Republic was a party on that date, including reservations and declarations to their provisions made earlier by the Czech and Slovak Federal Republic.

The Government of the Czech Republic have examined multilateral treaties the list of which is attached to this letter. (The Government of the Czech Republic) considers itself to be bound by these treaties as well as by all reservations and declarations to them by virtue of succession as of 1 January 1993.

The Czech Republic, in accordance with the well-established principles of international law, recognizes signatures made by the Czech and Slovak Federal Republic in respect of all signed treaties as if they were made by itself.

Subsequently, in a letter dated 19 May 1993 and also accompanied by a list of multilateral treaties deposited with the Secretary-General, received by the Secretary-General on 28 May 1993, the Government of the Slovak Republic notified that:

In accordance with the relevant principles and rules of international law and to the extent defined by it, the Slovak Republic, as a successor State, born from the dissolution of the Czech and Slovak Federal Republic, considers itself bound, as of 1 January 1993, i.e. the date on which the Slovak Republic assumed responsibility for its international relations, by multilateral treaties to which the Czech and Slovak Federal Republic was a party as of 31 December 1992, including reservations and declarations made earlier by Czechoslovakia, as well as objections by Czechoslovakia to reservations formulated by other States parties.

The Slovak Republic wishes further to maintain its status as a contracting State of the treaties to which Czechoslovakia was a contracting State and which were not yet in force at the date of the dissolution of the Czech and Slovak Federal Republic, as well as the status of a signatory State of the treaties which were previously signed but not ratified by Czechoslovakia as listed in the annex to this letter.

In view of the information above, entries in status lists pertaining to formalities (i.e. signatures, ratifications, accessions, declarations, and reservations, etc.) effected by the former Czechoslovakia prior to dissolution, in respect of treaties to which the Czech Republic and/or Slovakia have succeeded, will be replaced by the name of Czech Republic and/or Slovakia with the corresponding date of deposit of the notification of succession. A footnote will indicate the date and type of formality effected by the former Czechoslovakia, the corresponding indicator being inserted next to Czech Republic and Slovakia as the case may be.

As regards treaties in respect of which formalities were effected by the former Czechoslovakia and not listed in the notification of succession by either the Czech Republic or Slovakia, a footnote indicating the date and type of formality effected by the former Czechoslovakia will be included in the status of the treaties concerned, the corresponding footnote indicator being inserted next to the heading participant.

Czechoslovakia was an original Member of the United Nations, the Charter having been signed and ratified on its behalf on 26 June 1945 and 19 October 1945, respectively, until its dissolution on 31 December 1992.

See also note 9 below.

[6] The German Democratic Republic had acceded to the Convention on 23 March 1973 with a reservation and a declaration. For the text of the reservation and declaration, see United Nations, Treaty Series, vol. 883, p. 190.

Moreover, on 26 April 1984, the Government of the German Democratic Republic had made an objection with regard to the ratification made by the Government of Democratic Kampuchea. For the text of the objection, see United Nations, Treaty Series, vol. 1355, p. 327.

In a communication dated 3 October 1990, the Federal Minister for Foreign Affairs of the Federal Republic of Germany notified the Secretary-General of the following:

> " ... Through the accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State, which as a single Member of the United Nations remains bound by the provisions of the Charter in accordance with the solemn declaration of 12 June 1973. As from the date of unification, the Federal Republic of Germany will act in the United Nations under the designation 'Germany'."

The former German Democratic Republic was admitted to the Organization on 18 September 1973 by resolution No. 3050 (XXVIII). For the text of the declaration of acceptance of the obligations contained in the Charter dated 12 June 1973 made by the German Democratic Republic (registered under No. 12758), see United Nations, Treaty Series, vol. 891, p. 103.

Consequently, and in the light of articles 11 and 12 of the Treaty of 31 August 1990 (Unification Treaty) between the Federal Republic of Germany and the German Democratic Republic, entries in status lists pertaining to formalities (i.e. signatures, ratifications, accessions, declarations and reservations, etc.) effected by the Federal Republic of Germany will now appear under "Germany" and indicate the dates of such formalities.

As regards treaties in respect of which formalities had been effected by both the Federal Republic of Germany and the former German Democratic Republic prior to unification, the entry will similarly indicate in the corresponding table the type of formality effected by the Federal Republic of Germany and the date on which it took place, while the type of formality effected by the former German Democratic Republic and the date thereof will appear in a footnote.

Finally, as regards the treatment of treaties in respect of which formalities were effected by the former German Democratic Republic alone, article 12, paragraph 3 of the Unification Treaty contains the following provision: "Should the united Germany intend to accede to international organizations or other multilateral treaties of which the German Democratic Republic but not the Federal Republic of Germany is a member, agreement shall be reached with the respective contracting parties and with the European Communities where the latter's competence is affected." Accordingly, a footnote indicating the date and type of formality effected by the former German Democratic Republic will be included in the status of the treaties concerned, the corresponding footnote indicator being inserted next to the heading "Participant".

[7] In a note accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the Convention "shall also apply to Land Berlin with effect from the date on which it enters into force for the Federal Republic of Germany".

With reference to the above-mentioned declaration, the Secretary-General received communications from the Governments of Bulgaria (16 September 1969), Czechoslovakia (3 November 1969. See note 5 in this chapter), Mongolia (7 January 1970), Poland (20 June 1969), the Ukrainian Soviet Socialist Republic (10 November 1969) and the Union of Soviet Socialist Republics (4 August 1969). The said communications are identical in essence, mutatis mutandis, to those referred in the second paragraph of the note in chapter III.3 of Multilateral Treaties Deposited with the Secretary-General [this note reproduces the position of various Governments with respect to whether then West Berlin legally constituted a State territory of the Federal Republic of Germany].

On 27 December 1973, the Government of the German Democratic Republic made in respect of the above-mentioned declaration a declaration which is identical in essence, mutatis mutandis, to the one reproduced in the fourth paragraph of the note in chapter III.3. Subsequently, the Secretary-General received from the Governments of the Federal Republic of Germany (15 July 1974 and 19 September 1975), France, the United Kingdom and the United States of America (17 June 1974 and 8 July 1975), the Ukrainian Soviet Socialist Republic (19 September 1974) and the Union of Soviet Socialist Republics (12 September 1974 and 8 December 1975), declarations identical in essence, mutatis mutandis, to the corresponding ones reproduced in the note in chapter III.3.

See also note 6 above.

[8] With respect to the Associated States (Antigua, Dominica, Grenada, Saint Christopher, Nevis, Anguilla and Saint Lucia) and Territories under the territorial sovereignty of the United Kingdom (see note 4 in this chapter), as well as the State of Brunei, the Kingdom of Tonga and the British Solomon Islands protectorate.

[9] The Yemen Arab Republic had acceded to the Convention on 6 April 1989 with the following reservation:

Reservations in respect of article 5 (c) and article 5 (d) (iv), (vi) and (vii).

In this regard, the Secretary-General received on 30 April 1990 from the Government of Czechoslovakia the following objection:

> "The Czech and Slovak Federal Republic considers the reservations of the Government of Yemen with respect to article 5 (c) and articles 5 (d) (iv), (vi), and (vii) of [the Convention], as incompatible with the object and purpose of this Convention."

See also note 5 above.

[10] In a communication received by the Secretary-General on 10 July 1969, the Government of Israel declared:

> "[The Government of Israel] has noted the political character of the declaration made by the Government of Iraq on signing the above Convention.

> "In the view of the Government of Israel, the Convention is not the proper place for making such political pronouncements. The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity. Moreover, it is the view of the Government of Israel that no legal relevance can be attached to those Iraqi statements which purport to represent the views of the other States."

Except for the omission of the last sentence, identical communications in essence, mutatis mutandis, were received by the Secretary-General from the Government of Israel as follows: on 29 December 1966 in respect of the declaration made by the Government of the United Arab Republic upon signature (see also note 15 below); on 16 August 1968 in respect of the declaration made by the Government of the Libyan Arab Jamahiriya upon accession; on 12 December 1968 in respect of the declaration made by the Government of Kuwait upon accession; on 9 July 1969 in respect of the declaration made by the Government of the Syrian Arab Republic upon accession; on 21 April 1970 made in respect of the declaration made by Government of Iraq upon ratification with the following statement "With regard to the political declaration in the guise of a reservation made on the occasion of the ratification of the above Treaty, the Government of Israel wishes to refer to its objection circulated by the Secretary-General in his letter [...] and to maintain that objection."; on 12 February 1973 in respect of the declaration made by the Government of the People's Democratic Republic of Yemen upon accession; on 25 September 1974 in respect of the declaration made by the United Arab Emirates upon accession and on 25 June 1990 in respect of the reservation made by Bahrain upon accession.

[11] In communications received on 8 March, 19 and 20 April 1989, the Governments of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, respectively, notified the Secretary-General that they had decided to withdraw the reservations relating to article 22. For the texts of the reservations, see United Nations, Treaty Series, vol. 676, p. 397, vol. 681, p. 392 and vol. 677, p. 435.

[12] On 24 June 1992, the Government of Bulgaria notified the Secretary-General of its decision to withdraw the reservation to article 22 made upon signature and confirmed upon ratification. For the text of the reservation, see United Nations, Treaty Series, vol. 660, p. 270.

[13] None of the States concerned having objected to the reservation by the end of a period of 90 days after the date when it was circulated by the Secretary-General, the said reservation is deemed to have been permitted in accordance with the provisions of article 20 (1).

[14] In a communication received on 4 October 1972, the Government of Denmark notified the Secretary-General that it withdrew the reservation made with regard to the implementation on the Faeroe Islands of the Convention. For the text of the reservation see United Nations, Treaty Series, vol. 820, p. 457.

The legislation by which the Convention has been implemented on the Faroe Islands entered into force by 1 November 1972, from which date the withdrawal of the above reservation became effective.

[15] In a notification received on 18 January 1980, the Government of Egypt informed the Secretary-General that it had decided to withdraw the declaration it had made in respect of Israel. For the text of the declaration see United Nations, Treaty Series, vol. 660, p. 318. The notification indicates 25 January 1980 as the effective date of the withdrawal.

[16] In a communication received subsequently, the Government of France indicated that the first paragraph of the declaration did not purport to limit the obligations under the Convention in respect of the French Government, but only to record the latter's interpretation of article 4 of the Convention.

[17] In a communication received on 13 September 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw the reservation in respect to article 22 of the Convention made upon ratification. For the text of the reservation, see United Nations, Treaty Series, vol. 660, p. 310.

[18] In a communication received on 24 February 1969, the Government of Pakistan notified the Secretary-General that it "has decided not to accept the reservation made by the Government of India in her instrument of ratification".

[19] In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservation concerning article 22 made upon ratification. For the text of the reservation see United Nations, Treaty Series, vol. 660, p. 289.

[20] On 16 October 1997, the Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 22 of the Convention made upon ratification. For the text of the reservation see United Nations, Treaty Series, vol. 660, p. 195.

[21] On 19 August 1998, the Government of Romania notified the Secretary-General that it had decided to withdraw its reservation made with regard to article 22 of the Convention made upon accession. For the text of the reservation, see United Nations, Treaty Series, vol. 763, p. 362.

[22] By a notification received on 28 October 1977, the Government of Tonga informed the Secretary-General that it has decided to withdraw only those reservations made upon accession relating to article 5 (c) insofar as it relates to elections, and reservations relating to articles 2, 3 and 5 (e) (v), insofar as these articles relate to education and training. For the text of the original reservation see United Nations, Treaty Series, vol. 829, p. 371.

[23] The first 10 declarations recognizing the competence of the Committee on the Elimination of Racial Discrimination took effect on 3 December 1982, date of the deposit of the tenth declaration, according to article 14, paragraph 1 of the Convention.

[24] On 27 April 1999, the Government of Portugal informed the Secretary-General that the Convention would apply to Macau.

Subsequently, the Secretary-General received the following communications:

China (19 October 1999):

"In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the 'Joint Declaration'), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

"In this connection, the Government of the People's Republic of China informs the Secretary-General of the following:

"The International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter referred to as the 'Convention'), to which the Government of the People's Republic of China deposited the instrument of accession on 29 December 1981, will apply to the Macau Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

'The reservation made by the Government of the People's Republic of China to Article 22 of the Convention will also apply to the Macau Special Administrative Region.

'The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Macau Special Administrative Region.'"

Portugal (21 October 1999):

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

"From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

[25] On 22 October 1999, the Government of Spain informed the Secretary-General that it had decided to withdraw its reservation in respect of article 22 made upon accession. For the text of the reservation, see United Nations, Treaty Series, vol. 660, p. 316.

[26] The former Yugoslavia had signed and ratified the Convention on 15 April 1966 and 2 October 1967, respectively.

The former Yugoslavia was an original Member of the United Nations, the Charter having been signed and ratified on its behalf on 26 June 1945 and 19 October 1945, respectively. The following republics constituting the former Yugoslavia declared their independence on the dates indicated: Slovenia (25 June 1991), the former Yugoslav Republic of Macedonia (17 September 1991), Croatia (8 October 1991), and Bosnia and Herzegovina (6 March 1992). Yugoslavia came into being on 27 April 1992 following the promulgation of the Constitution of the Federal Republic of Yugoslavia on that day. Yugoslavia nevertheless advised the Secretary-General on 27 April 1992 that it claimed to continue the international legal personality of the former Yugoslavia. Yugoslavia accordingly claimed to be a member of those international organizations of which the former Yugoslavia had been a member. It also claimed that all those treaty acts that had been performed by the former Yugoslavia were directly attributable to it, as being the same State (see documents S/23877 and A/46/915). Bosnia and Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia, all of which had applied for and were admitted to membership in the United Nations, in accordance with Article 4 of the Charter (by resolutions 46/237 adopted on 22 May 1992, 46/238 adopted on 22 May 1992, 46/236 adopted on 22 May 1992 and 47/225 adopted on 8 April 1993, respectively), objected to this claim.

In its resolution 47/1 of 22 September 1992, the General Assembly, acting upon the recommendation of the Security Council in its resolution 777 (1992) of 19 September 1992, considered that Yugoslavia could not continue automatically the membership of the former Yugoslavia in the United Nations, and decided that it should accordingly apply for membership in the Organization. It also decided that Yugoslavia could not participate in the work of the General Assembly. The Legal Counsel took the view, however, that this resolution of the General Assembly neither terminated nor suspended the membership of the former Yugoslavia in the United Nations. At the same time, the Legal Counsel expressed the view that the admission of a new Yugoslavia to membership in the United Nations, in accordance with Article 4 of the Charter of the United Nations, would terminate the situation that had been created by General Assembly resolution 47/1 (see document A/47/485).

General Assembly resolution 47/1 did not specifically address the question of the status of either the former Yugoslavia or of Yugoslavia with regard to multilateral treaties that were deposited with the Secretary-General.

The Legal Counsel took the view in this regard that the Secretary-General was not in a position, as depositary, either to reject or to disregard the claim of Yugoslavia that it continued the legal personality of the former Yugoslavia, absent any decision to the contrary either by a competent organ of the United Nations directing him in the exercise of his depositary functions, or by a competent treaty organ created by a treaty, or by the contracting States to a treaty directing him in the exercise of his depositary functions with regard to that particular treaty, or by a competent organ representative of the international community of States as a whole on the general issue of continuity and discontinuity of statehood to which the claim of Yugoslavia gave rise.

Consistent with the claim of Yugoslavia to continue the international legal personality of the former Yugoslavia, the Secretary-General, as depositary, continued to list treaty actions that had been performed by the former Yugoslavia in status lists in the present publication, using for that purpose the short-form name "Yugoslavia", which was used at that time to refer to the former Yugoslavia. Between 27 April 1992 and 1 November 2000, Yugoslavia undertook numerous treaty actions with respect to treaties deposited with the Secretary-General. Consistent with the claim of Yugoslavia to continue the international legal personality of the former Yugoslavia, these treaty actions were also listed in status lists against the name "Yugoslavia". Accordingly, the Secretary-General, as depositary, did not make any differentiation in the present publication between treaty actions that were performed by the former Yugoslavia and those that were performed by Yugoslavia, both categories of treaty actions being listed against the name "Yugoslavia".

The General Assembly admitted Yugoslavia to membership by its resolution 55/12 of 1 November 2000. At the same time, Yugoslavia renounced its claim to have continued the international legal personality of the former Yugoslavia.

By a notification dated 8 March 2001, received by the Secretary-General on 12 March 2001, the Government of the Federal Republic of Yugoslavia lodged an instrument, inter alia advising its intent to succeed to various multilateral treaties deposited with the Secretary-General and confirming certain actions relating to such treaties. The notification stated the following:

> "[T]he Government of the Federal Republic of Yugoslavia, having considered the treaties listed in the attached annex 1, succeeds to the same and undertakes faithfully to perform and carry out the stipulations therein contained as from April 27, 1992, the date upon which the Federal Republic of Yugoslavia assumed responsibility for its international relations." [Ed. note: annex 1 attached to the notification contains a list of treaties to which the Socialist Federal Republic of Yugoslavia was a signatory or party.]"
>
> "... [T]he Government of the Federal Republic of Yugoslavia maintains the signatures, reservations, declarations and objections made by the Socialist Federal Republic of Yugoslavia to the treaties listed in the attached annex 1, prior to the date on which the Federal Republic of Yugoslavia assumed responsibility for its international relations."
>
> "... [T]he Government of the Federal Republic of Yugoslavia confirms those treaty actions and declarations made by the Federal Republic of Yugoslavia which are listed in the attached annex 2." [Ed. note: annex 2 attached to the notification contains a list of certain treaty actions undertaken by the Federal Republic of Yugoslavia between 27 April 1992 and 1 November 2000.]

Annex I

STATES PARTIES WHICH HAVE ACCEPTED THE AMENDMENT TO ARTICLE 8 OF THE INTERNATIONAL CONVENTION

Adopted at the Fourteenth Meeting of the States Parties on 15 January 1992

NOT YET IN FORCE: (see paragraph 4 of the decision of the States parties)
TEXT: Doc. CERD/SP/45
STATUS: Acceptances: 31

Note: The amendment proposed by the Government of Australia and circulated by the Secretary-General under cover of depositary notification C.N.285.1991.TREATIES-4 of 20 December 1991, was adopted by the States parties to the Convention at their Fourteenth Meeting and submitted to the General Assembly in accordance with article 23 of the Convention. The General Assembly endorsed the said amendment at its forty-seventh session by resolution 47/111 of 16 December 1992.

State party	Date of acceptance
Australia	15 October 1993
Bahamas	31 March 1994
Bahrain	29 June 2000
Bulgaria	2 March 1995
Burkina Faso	9 August 1993
Canada	8 February 1995
Colombia	5 October 1999
Costa Rica	13 December 2000
Cuba	21 November 1996
Cyprus	28 September 1998
Denmark	3 September 1993
Finland	9 February 1994
France	1 September 1994
Germany	8 October 1996
Guinea	31 May 2000
Iceland	14 March 2001
Ireland	29 December 2000
Liechtenstein	28 April 2000
Mexico	16 September 1996
Netherlands[1]	24 January 1995

[1] For the Kingdom in Europe, the Netherlands Antilles and Aruba.

State party	Date of acceptance
New Zealand	8 October 1993
Norway	6 October 1993
Republic of Korea	30 November 1993
Seychelles	23 July 1993
Sweden	14 May 1993
Switzerland	16 December 1996
Syrian Arab Republic	25 February 1998
Trinidad and Tobago	23 August 1993
Ukraine	17 June 1994
United Kingdom	7 February 1994
Zimbabwe	10 April 1997

Annex II

STATES PARTIES WHICH HAVE MADE RESERVATIONS AND DECLARATIONS

Articles of the Convention	States parties
Article 1	United Kingdom of Great Britain and Northern Ireland and United States of America
Article 2 (1)	Monaco, Switzerland and United States of America
Article 4	Antigua and Barbuda, Australia, Austria, Bahamas, Barbados, Belgium, Fiji, France, Ireland, Italy, Japan, Malta, Monaco, Nepal, Papua New Guinea, Switzerland, Tonga, United Kingdom of Great Britain and Northern Ireland and United States of America
Article 5	Fiji, Tonga and United Kingdom of Great Britain and Northern Ireland
Article 6	Fiji, France, Italy, Malta, Nepal, Tonga and United Kingdom of Great Britain and Northern Ireland
Article 7	United States of America
Article 15	Fiji, France, Tonga and United Kingdom of Great Britain and Northern Ireland
Article 17 (1)	Afghanistan, Belarus, Bulgaria, Cuba, Hungary, Mongolia, Poland, Romania, Russian Federation, Ukraine, Viet Nam and Yemen
Article 18 (1)	Afghanistan, Bulgaria, Cuba, Hungary, Poland, Romania, Viet Nam and Yemen
Article 20	Fiji, Tonga and United Kingdom of Great Britain and Northern Ireland
Article 22	Afghanistan, Bahrain, China, Cuba, Egypt, India, Indonesia, Iraq, Israel, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Morocco, Mozambique, Nepal, Rwanda, Saudi Arabia, Syrian Arab Republic, United States of America, Viet Nam and Yemen

States parties which have made reservations or declarations of a general nature

Antigua and Barbuda, Bahamas, Barbados, Guyana, Jamaica, Nepal and Papua New Guinea

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